IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 5TH OCTOBER 2006 / 13TH ASWINA 1928

Bail Appl..No. 5884 of 2006

AGAINST THE ORDER DATED 23/08/2006 IN ORDER IN CMP.2195/2006 of J.M.F.C.-II, ALUVA
CRIME NO.696/2006 OF ANGAMALY POLICE STATION

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PETITIONER.

RASSAK, S/O.MUHAMMEDALI,
ARAKKAL VEEDU, GANESHAMANGALAM KARA,
VADANAPPILLY VILLAGE, THRISSUR.

BY ADV. SMT.S.MUMTAZ

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

2. THE SUB INSPECTOR OF POLICE, ANGAMALI POLICE STATION, ALUVA.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5884/2006

DATED THIS THE 5TH DAY OF OCTOBER, 2006

O R D E R

The petitioner was found in illegal possession of 448 litres of spirit, by the Angamaly Police Station Officials, who subsequently registered crime No.696/2006 of that police station, under Section 55(a) of the Abkari Act. He remains in judicial custody from 6.8.2006. Hence this application, under Section 439 Cr.P.C.

2. I heard the arguments advanced by both sides. It is submitted by the prosecution that the investigation is not complete. In the above facts situation, I grant bail and release the petitioner from jail, subject to the following conditions:-

(a). The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties, each for the like sum, to the

satisfaction of the Judicial Magistrate of First Class-II, Aluva.

(b). The petitioner shall report before the Investigating Officer, once in a week, on every Tuesday, between 10.00 a.m and 11.00 a.m., for a period of four months, starting from 10.10.2006, and thereafter, on the first working day of every month, between the same timings, till the final trial and disposal of the case.

(c). The petitioner shall not leave the State of Kerala, until the disposal of the Sessions Case.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs